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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE CHRYSLER-DODGE-JEEP
ECODIESEL MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:17-md-02777-EMC

**JOINT CASE MANAGEMENT
STATEMENT**

Date: February 9, 2018
Time: 10:00 A.M.
Courtroom: 5, 17th Floor
Judge: Hon. Edward Chen

The Plaintiffs' Steering Committee ("PSC"), on behalf of the consumer and reseller dealer
class plaintiffs ("Class Plaintiffs"), the United States Department of Justice, on behalf of the
United States Environmental Protection Agency ("United States"), counsel for Defendants FCA

US LLC, Fiat Chrysler Automobiles N.V., V.M. Motori S.p.A., V.M. North America, Inc., and Sergio Marchionne (collectively, the “FCA Defendants”), and counsel for Robert Bosch LLC and Robert Bosch GmbH (collectively, the “Bosch Defendants”) (jointly, the “Parties”), submit this Joint Case Management Statement in advance of the February 9, 2018 case management conference.

I. Discovery and Pending Pretrial Orders

Discovery continues to proceed pursuant to Pretrial Orders (“PTO”) 12 and 17.

The FCA Defendants and the Bosch Defendants continue to meet and confer with the Class Plaintiffs on their respective discovery requests, responses, and objections, including the sufficiency of document production related to class certification. Class Plaintiffs have served timely responses to all of the FCA Defendants and Bosch Defendants’ discovery requests. To date, Class Plaintiffs have produced thousands of pages of documents to the FCA Defendants and Bosch Defendants, along with detailed 12-page Plaintiff Fact Sheets for each named class representative.

Class Plaintiffs continue to meet and confer with the FCA Defendants and the Bosch Defendants on their respective discovery requests, responses, and objections, including the sufficiency of document production related to class certification. The FCA Defendants have served timely responses to all of the Class Plaintiffs’ discovery requests, and have produced over one million pages of documents in response to the Class Plaintiffs’ document requests and interrogatories. The FCA Defendants have also produced voluminous additional materials to Class Plaintiffs as part of settlement negotiations with Settlement Master Kenneth Feinberg. The Bosch Defendants have also served timely responses to all of the Class Plaintiffs’ discovery requests, made initial productions of responsive documents, and produced hundreds of thousands of documents to Class Plaintiffs as part of settlement negotiations with the Settlement Master. The Bosch Defendants continue to make rolling productions of responsive documents, and are in the process of meeting and conferring with Class Plaintiffs regarding further discovery.

The FCA Defendants will soon be meeting and conferring with the United States on the FCA Defendants’ discovery requests to the United States, as well as the United States’ responses

1 and objections. The United States has served timely responses to the FCA Defendants' First Set
2 of Production of Documents. The FCA Defendants propounded a First Set of Requests for
3 Admission on the United States. The deadline for the United States to respond to these requests
4 has not yet passed. Since the last hearing, the FCA Defendants provided objections and responses
5 to the following requests propounded by the United States: Second Set of Requests for
6 Production, First Set of Interrogatories, and Third Set of Requests for Admission.

7 The United States and Class Plaintiffs met and conferred with the FCA Defendants on
8 January 24, 2018, regarding the FCA Defendants' ESI collection and search methodologies and
9 the sufficiency of FCA Defendants' responses to discovery requests. The United States and Class
10 Plaintiffs will continue to meet and confer with the FCA Defendants regarding the sufficiency of
11 their responses to their respective discovery requests. There are no discovery issues for the Court
12 to review at this time.

13 **II. Motions**

14 The FCA Defendants and the Bosch Defendants' motions to dismiss the Class Plaintiffs'
15 Amended Consolidated Consumer Class Action Complaint, which were taken under submission
16 following oral argument on December 19, 2017, are pending.

17 Pursuant to PTO 17, the deadline for Class Plaintiffs to file their motion for class
18 certification is April 16, 2018. The FCA Defendants and Bosch Defendants' deadline to oppose
19 Class Plaintiffs' motion for class certification is May 29, 2019, and Class Plaintiffs' reply brief is
20 due on June 25, 2018. The class certification hearing is currently scheduled for July 17, 2018.

21 **III. Vehicle Testing**

22 The FCA Defendants continue to test certain Subject Vehicles pursuant to the EPA and
23 CARB Protocol for Assessment of FCA's Proposed Modification of Model Year 2014-2016
24 Diesel Jeep Grand Cherokee and Ram 1500 Vehicles ("Test Protocol"). EPA has observed a
25 portion of the testing. The FCA Defendants have provided the United States and California with
26 testing data related to noise, vibration, and harshness ("NVH") and drivability as well as a subset
27 of emissions data. The FCA Defendants will continue to provide data on a rolling basis to the
28 United States and California.

On December 23, 2017, Class Plaintiffs received a redacted version of the FCA Defendants' Test Protocol. The FCA Defendants have provided Class Plaintiffs with the same NVH and drivability testing data that they provided to the United States and California.

IV. Settlement and ADR

The Parties have held settlement meetings with Settlement Master Kenneth Feinberg. Additional settlement meetings are scheduled with the Settlement Master in February and March of 2018. The Parties will continue to confer with the Settlement Master to schedule further joint mediation sessions.

V. Other Matters

The Parties have no other matters to bring before the Court at this time.

Dated: February 2, 2018

Respectfully submitted,

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Plaintiffs' Lead Counsel and Chair of the Plaintiffs' Steering Committee

1 Dated: February 2, 2018

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12 Dated: February 2, 2018

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20 Dated: February 2, 2018

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27 *Government Coordinating Counsel*
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ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest the concurrence in the filing of this document has been obtained from the signatories.

Dated: February 2, 2018

/s/ Elizabeth J. Cabraser
Elizabeth J. Cabraser

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 2, 2018, a true and correct copy of the foregoing was electronically filed and served electronically via the Court's CM/ECF system, which will automatically serve notice to all registered counsel of record.

/s/ Elizabeth J. Cabraser

Elizabeth J. Cabraser